



TENNESSEE HUMAN RIGHTS COMMISSION
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October 5, 2007
Board of Commissioner's
Annual Report Release Minutes

Commissioner's Present:

Commissioner Davis
Commissioner Hakeem
Commissioner Jones
Commissioner Osborne
Commissioner Pierce
Commissioner Starling
Chairman Wiggins

Commissioner's Absent:

Commissioner Blalcok
Commissioner Cocke
Commissioner Garrett
Commissioner Horne
Commissioner Pride
Commissioner Walker
Commissioner Smith
Commissioner Rogers

Staff Present:

Beverly Watts, Executive Director
Tiffany Baker Cox, Deputy Director
Robert Bright, Housing Director
Shalini Rose, General Counsel
Esperanza Soriano, Communications Director
Lisa Lancaster, Executive Director's Assistant
Tricia Gerou, Secretary
Shara Cross, Housing Investigator
Linda Reed, Housing/Employment Investigator
Samantha Hatcher, Housing Investigator
Stephen Moore, Housing Investigator
Matthew Stephenson, Employment Investigator
Leon King, Intake Support
Ritchie Patton, Employment Investigator
Thierno Bah, Compliance Officer
Wanda Jennings, Employment Investigator
Dianna Ruch, Intake Officer
Patricia Ladd, Legal Assistant
Barbara Gardner, Employment Investigator
Renee' Smith, Employment Investigator
Frank Carr, Staff Support
Billie Jean Haddock, Intake Officer
Kimyona Hix, Communications Support

Guests:

George Davis (ECD)
Carol White (SSS)
Allen Staley (SSS)
Donna Keith (SSS)

Call to Order

Chairman Wiggins called the meeting to order at 9:00 a.m. Chairman Wiggins welcomed the attendees and thanked them for their time. He reminded us that no matter how rich or poor we are, each of us only gets 168 hours per week and how we use that time is very important. He thanked those present for spending their time to hear the state of the Tennessee Human Rights Commission during the 2006-2007 year.

Executive Director's Address

He then introduced the Executive Director, Beverly Watts, who noted that she would be providing a report of the activities of the Commission staff for the period July 1, 2006 through June 30, 2007 under the direction of Amber Gooding, the previous Executive Director and Shalini Rose, who served as interim Executive Director after Ms. Gooding's departure in April of 2007.

The purpose of the Commission is to is to safeguard all individuals within the state from discrimination in the areas of Housing, Employment and Public Accommodations and to foster good will among the groups and populous of the state through community wide efforts and collaborations with government, private organizations and faith based organizations.

Attendees were reminded that this year is significant in the field of Civil Rights in that it marks the 50th year of the Civil Rights Act of 1957 the first major civil rights law of the U.S. Congress since reconstruction. It established the Civil Rights Division of the U.S. Department of Justice and the U.S. Commission on Civil Rights. This was the beginning of the federal Civil Rights legal infrastructure. Some states had infrastructure in place at the time but only a few.

It is also the 50th anniversary of the Desegregation of Central High School in Little Rock Arkansas by nine African Americans. We are also celebrating the 40th Anniversary of the Age Discrimination and Employment Act, the one that prevents discrimination for anyone over 40. It is now protected legally.

Next year will be the 40th anniversary of the Fair Housing Act which was enacted by Congress and signed into law by Lyndon Johnson. Government's role in enforcing civil rights protections for individuals has made its way to today through court decisions and in recent history many federal, state and local levels of government have instituted commissions such as ours and instituted administrative procedures so that individuals can seek redress outside of the court system.

It was 1967 that the Tennessee Human Rights Commission was established, so it is also another anniversary.

In the areas of Housing, Employment and Public Accommodation last year we received 156 charges in Housing. This was 38% increase over our receipts in 2004 and a significant increase over 2005. It was noted in an article in USA Today that HUD reported an increase of 12% from the previous year. More than 24% of our charges were allegations of race discrimination, 17% were national origin and 7% were familial status. 108 charges were closed and obtained monetary relief in the amount of \$37,040 plus other efforts which

include reinstatement of housing, attorney's fees, granting of accessibility, housing modifications and fair housing training. Our average case age was 121 days and that is continually going down over the last 3 years. This is an additional 2 day increase from 2006. These cases were from all over the state but, the majority were from 2 areas, Davidson and Shelby counties. You may say why those two counties? We think it is because in those counties there is an abundance of information and people have knowledge. And when people have knowledge they seek relief.

One of the factors in all of this is the housing staff which is based in Knoxville TN, under the direction of the Housing Director, Robert Bright. The housing staff was recognized for their efforts.

Employment generates the most complaints at the agency. Last year we received 707 complaints and this is an increase of 16% over the previous fiscal year. We know that a number of these cases, the largest majority, involve allegations of race discrimination, followed by gender and age and then there is an interesting factor, that a large number of cases are cases of retaliation. These are cases in which individuals make allegations of discrimination but in making them, they suffer an act of discrimination at their employment such as dismissal and or hostile work environment because they chose to seek advice. So retaliation cases continue to be on the rise.

We closed 562 cases and we obtained benefits in the amount of \$467,791. We had 47 settlements with benefits, 11 withdrawals with benefits, and 5 successful conciliations. Our most successful tool we recognize is mediation which has currently been suspended. In our mediation program we had 120 mediations and successfully closed 63 cases with benefits in the amount of \$304,614. The majority of our cases came from the largest metropolitan areas in the state in the following order: Davidson, Knox Hamilton and Shelby. These are areas where there is a lot of knowledge, a lot of education and outreach and a lot of work on the news stations in the Davidson county area and in Hamilton county area and we are seeing a significant rise as a result of people understanding their rights. The employment staff under the direction of Deputy Director, Tiffany Baker Cox was recognized. It was noted that Linda Reed, Frank Guzman and Tara Acton work in multiple areas.

In an average week we answer 350 calls which add up to 1,400 calls per month. We respond to questions and issues and when it is not in our jurisdiction, we forward them to the appropriate agency. Some are federal some are state and some are private. Some people want social services, some want other issues in employment, some want healthcare. The customer service division staff was introduced.

The customer service division passes off to the intake unit and they are processing a large number of papers, somewhere in the neighborhood of 150 to 200 each month. That comes down to filing about 75 complaints. They are working through a lot more issues than actual cases compiled meaning that their work with the public is great. The Intake staff was introduced and thanked for their hard work.

Over the last year staff has endeavored to do education and outreach in a number of different ways. We have appeared on the radio and television in the Nashville metropolitan area market which includes several radio stations in the Franklin and in other markets

when we can. We have developed ads for radio, TV and print media and would like to thank our Commissioners for being in those ads and for being seen throughout the state. Before I came here, one of my friends said to me, "Oh you're going to that place, your Commissioner's are always on TV, we always see the ads and they do a great job." We also have print media that informs the public as to who we are and what we do and how they can contact us if they feel they have been discriminated against.

We worked formally and informally last year with more than 50 organizations which included government, at the state, city and county and federal level; non-profit advocacy groups; civil rights groups; faith based organizations and others, including educational areas such as Scarritt Bennett. The communications staff led by Communications Director, Esperanza Soriano was introduced.

The legal staff is really our backbone. They keep us on task and in order. They make sure that our cases are done in an appropriate manner. They also interface with the Attorney General's office. They have this year helped us rewrite rules, and made trips around the state so that people could comment on the proposed changes. They have worked with a number of attorney's that call the office and sometimes try to browbeat our investigative staff and they step in with the appropriate language and the appropriate tools to prevent that from happening. The legal staff was introduced.

Again let me thank the entire staff. This group is phenomenal and they have done phenomenal things this year and we thank you for that. It is now time to talk about where do we go from here? As the new Director, I am glad to be coming in at this time. It is wonderful to come in when everything is on the upswing. It is fun to come in and have everything working well. I know this is my challenge. Things are working well, so this is my start. We have to do as well, if not better, next year. I am sure that the Commissioners are wondering, what have you done for me lately or what have you done for the Commission that makes a difference?

Next year we are going to be working on the things we have been working on. We are going to continue to do the kinds of things that we have done this year, so that we can continue to provide good service to the public and the public who thinks they have been discriminated against. We want to expand our outreach efforts and initiatives and we want to include more staff in doing that. Those of you in Memphis, Chattanooga and Knoxville, get ready, we are going to put you on the air.

We want to also look at and get information from the public about what they feel we are doing. We want to report more frequently to the public about what is going on. And we are talking as a group and an organization to determine what we should do. Some things we are considering: email; all electronic means to educate the public about what we do. We have a website and the question is what else can we put on the website that might make it more user friendly and help people understand what we do?

As we are going out to events we are finding that people come to us and say, "You are who? What do you do? I didn't know you existed." Anytime that happens, it means we have more work to do. We want to identify and look at ways that we can actually expand our current authority. That means our day to day work. I know that we are only thirty people, don't get nervous staff. I won't have you working 24/7. But we do want to look at

the ways to enhance what we do using all the techniques, all of our strengths to do that, so that we can enhance the quality of life for all Tennesseans and others within our state. If there is a hostile environment, then the quality of life for individual citizens is not good.

Martin Luther King noted that to be great all we have to do is serve. We at the Tennessee Human Rights Commission will serve the state of Tennessee to identify and eliminate discrimination on an ongoing basis in our quest to build Dr. King's beloved community. I believe to do that we need to help and assist all of the individuals in the state to understand our law that we will call on people who may not have seen us in the past and we will work with whoever to make that happen.

Mr. Chairman and Commissioner's, I am pleased to present the 2006-2007 Annual Report.

Chairman Wiggins noted that the Commission has been quite busy this past year and with the Executive Director Watts coming on board, she hit the ground running and did not miss a beat. And one of the things she talked about was that a lot of things that were going on, we're doing right and a lot of things that were going on that we have the momentum on and one of the things that I want to do is keep the momentum up.

I also want to thank all of you who show up everyday, all of you who toil behind the scenes to do the day in day out heavy lifting. People don't see that and this commission and this agency would not be running properly if it was not for your efforts. Director Watts noted that she had neglected to introduce the one person that really makes it run, Lisa Lancaster her executive assistant. Chairman Wiggins noted that it was all about the team effort and he thanked each staff member for doing the heavy lifting, the day in day out things that go on in this agency that people don't see.

I also want to thank Beverly Watts for that report bringing you up to date on what is going on, that we are out there and we get a lot questions and a lot of things happening and we make no excuses. When people call and ask questions about things we don't have jurisdiction to answer we still help them because that is what its all about, it's about serving and that's what we're here to do, serve.

At this time, I would like to open the floor for questions. Carol White of Shared Services Solutions asked, "What do you see as the biggest challenges facing the Tennessee Human Rights Commission? Chairman Wiggins sees making people understand and realize what this agency is all about as the biggest challenge. When I am out in the public people will come up to me and say, I saw you're commercial on TV. What is the Tennessee Human Rights Commission and what do you do? I hope that we can get to a point where people don't have to ask that question. That is our responsibility, to make people understand what we do by doing commercials, going out into the community and speaking with groups. We represent the citizen's of the state of Tennessee and people need to know what it is we do.

Commissioner A.J. Starling added that budgeting for the agency is always a challenge. Right now things are good and we have a surplus but that is not always the case. As things go on we could go into a deficit and the talk could turn to cutting things back and when that happens civil rights issues are the first thing cut. I think that one of my goals is to make sure that the Legislators know how important the Tennessee Human Rights

Commission is, how they function and what it does because they hold the resources and votes when it all comes down to funding the budget they will be informed. I think myself and the other Commissioners should assist the Commission in making a move from the building we are located in. I think it is important that we are more accessible to the public especially if we are going to grow.

Commissioner Edwin Osborne echoed what Chairman Wiggins said concerning education and communication. I submit to you that there are three stars in flag of the state of Tennessee because the state really has three different personalities. I am from upper east Tennessee and I would submit to you that the challenges of reaching and educating someone in Hancock County Tennessee which is the poorest county in the state, is a totally different effort than Shelby county, the largest county in the state.

The economics are different, the culture is quite different from Hamblen county where I am from, who has a very contentious (inaudible) and actively so. In Knox county we saw some things getting the word out how you do it with limited resources will be a continuing challenge.

Commissioner Yusuf Hakeem commented that he agreed with all comments.

One of the things that Chairman Wiggins believes and people ask all the time, Why are you a part of that organization? Why do you do what you do? My feeling is that we are all put on this earth to make a difference in the lives of others whether directly or indirectly and you determine what that difference will be whether it is positive or negative. And that is up to you. When I was younger I had a different attitude about things.

But as I have become more mature, I find that what you do in life and what you share with others, as I tell my students at TSU where I am an adjunct Professor, the one thing you need to do and you must understand this, when you leave this campus and go out into the real world you will have to be prepared, you will have to persevere, you will have to be committed, you will have to confident in yourself, and don't let your confidence roll over into arrogance, but more importantly, you have to share with others in your community, whether it is volunteering, whether it's making a difference in someone's life.

I sit on many panels when I travel around this country and one of the things I try to tell people is, if you have a complaint, don't just sit here and complain, I always put it back on them and say what have you done? What have you done today? What have you done this week? How have you utilized your 168 hours? Have you given an hour for someone? Have you lifted up someone? Have you shared with someone in trouble? And that is what is being a part of this Commission is about for me. And that is why when people ask me why I do what I do I; tell them it is about giving back.

Mr. Thierno Bah asked about the church burnings of several years ago and the current trend of hanging ropes that are occurring in universities and colleges around the country and why he thought they were happening.

Chairman Wiggins said we live in a society today where there is twenty four hour news, youtube, facebook, cell phones where you can take a picture of someone and post it on the internet. I can walk out of this building and do something stupid and I will bet you if

someone has a cellphone nearby that it will be on CNN or YouTube within fifteen or twenty minutes. We live in a society where people are looking for their fifteen minutes of fame. And if something gets notoriety whether it's infamous or otherwise people will do whatever. The church burnings, the situation down in Jena Louisiana, all these things are things where people are trying to show their ignorance and you can't stop that. The one thing that we can do as an agency, we can go out and make sure that if anyone's rights are being jeopardized or if there is injustice that is taking place, we can do what we will do what we have to do to make sure that all citizen's of this state are treated fairly.

As I tell folks, the reason I came here to Tennessee, I was recruited by Shoney's Corporation the restaurant chain and if any of you remember, in 1992 Shoney's settled a racial discrimination suit to the tune of \$135 million dollars and they were placed under a ten year consent decree that means they had to pay money, they also had to do a very strong concerted effort to hire minorities in management positions. The one thing that I made sure that people understood is that what you do within the four walls of your home is your business because we live in America and that is the freedom that we have. You can say or do whatever you want, but when you come into this building into our facilities, you will respect other people, regardless of race, color, creed, religion, you will show them respect.

And the reason that I am here is not to be a policeman but to make sure that everybody is treated fairly and make sure that everyone gets an equal share of what we have in our society because that is what this country was founded on. And I believe that for this commission. This is about making sure that justice is done and make sure that all are treated fairly. I cannot control the person who will paint a noose on a truck or do something stupid, but I can tell you that I will make sure that justice is done.

Let me say this, you have heard me talk a lot about time this morning and as I have become more mature time means a lot to me because we are all time poor and how we use that time is very important. I want to leave you with a quote that was given to me when I was very very young and has always stayed with me.

"Life is just a minute. Only 60 seconds in it. Forced upon us, we can't refuse it. We didn't seek it nor did we choose it, but it is up to us to use it. We will suffer if we loose it Give an account if we abuse it. Just 60 seconds one whole minute but eternity can be in it."

At the Tennessee Human Rights Commission we have more than a minute but we don't have an eternity. But we will use our time wisely we will make sure the time that we utilize is in the best interest of the people of the state and we will do whatever we can to make sure that everyone is treated fairly regardless of race, gender, religion. They will be treated fairly. And that is why I am proud to be a part of this commission and I am proud to serve with these commissioners and proud to work with all of you. I am proud to be a colleague of Director Watts who has come on board and hit the ground running.

Director Watts asked attendees to take a copy of the THRC Annual Report and revel in the good work that has been done.